

A U S T I N C I T Y C O U N C I L

AGENDA

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Wednesday, August 09, 2006

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**Zoning Ordinances / Restrictive Covenants
(HEARINGS CLOSED)
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 2

Subject: C814-06-0054 - Prominent Pointe II PUD - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5401, 5405, 5505 Bluffstone Lance; 8310 N. Capital of Texas Highway; and Bluffstone and Bluegrass Drive (Bull Creek Watershed) from interim-rural residence (I-RR) district zoning; single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning; limited office (LO) district zoning; community-commercial (GR) district zoning; and planned unit development (PUD) district zoning to planned unit development (PUD) district zoning. First reading approved on July 27, 2006. Vote: 7-0. Applicant: Prominet Northpoint, L.P. (Mark McAllister). Agent: Armbrust & Brown, L.L.P. (Amanda Morrow). City Staff: Sherri Sirwaitis, 974-3057.

<p>Additional Backup Material (click to open) Staff Report</p>

For More Information: Sherri Sirwaitis, 974-3057.

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C814-06-0054 (Prominent Pointe II PUD)

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 5401, 5405, 5505 Bluffstone Lane; 8310 N. Capital of Texas Highway; Bluffstone at Bluegrass Drive from I-RR, interim-rural residence district, zoning; SF-2-CO, single family residence-standard lot-conditional overlay district, zoning; LO, limited office district, zoning; GR, community commercial district, zoning; and PUD, planned unit development district, zoning to PUD, planned unit development district, zoning subject to the following:

1. The conditions of the PUD shall be established in the proposed Land Use Plan - "Attachment B".
2. The PUD will comply with GR, Community Commercial District, permitted land uses. However, following uses are prohibited within the PUD:
 - Automotive Rentals
 - Automotive Repair Services
 - Automotive Sales
 - Automotive Washing (of any type)
 - Service Station
 - Commercial Off-Street Parking
 - Drop-Off Recycling Collection Facility
 - Exterminating Services
 - Funeral Services
 - Off-Site Accessory Parking
 - Pawn Shop Services
 - Plant Nursery
3. The development of the PUD shall be in accordance with regulations set forth in the Prominent Pointe II PUD Development Regulations and Development Regulations Notes located on the proposed PUD Land Use Plan and provided as "Attachment C" to the report.
4. The development of the PUD site will be subject to a vehicle trip limit of less than 2,000 vehicle trips per day above the existing development [LDC, 25-6-117].
5. The applicant will dedicate approximately 7.5 acres of undeveloped land, known as the Great Hills Phase "B" Tract, as a preservation/conservation area to the City of Austin. The Austin Water Utility, Wildlands Conservation Division will be responsible for this property under the operations/management of Willy Conrad.
6. The applicant will provide two trail easements across the north and south ends of the property to allow public and surrounding neighborhoods access through the property to connect with existing trail ways along Bull Creek.

7. The proposed PUD shall comply with Environmental staff recommendations stated in Attachment D and the Environmental Board conditions stated in Attachment E. These recommendations include the following:
 - a. The PUD shall utilize an integrated pest management plan (IPM), which will be implemented at the consolidated site plan stage of development.
 - b. The PUD will participate in the Green Building program with a minimum one star rating.
 - c. The applicant will provide a rainwater collection system for the PUD development.
 - d. The PUD will be subject to water quality that meets current standards for existing and proposed impervious cover.
 - e. The applicant will provide, at a minimum, low-intensity tree plantings throughout the site, including the Hill Country Roadway Corridor buffer.
 - f. The proposed development will employ the City of Austin's Grow Green plant list for landscaping attributes.
 - g. The applicant will provide a 50-foot setback for the rimrock CEF as shown on the proposed land use plan.
8. The applicant will provide water quality control meeting the current water quality requirements.
9. The applicant has requested development bonuses as outlined in Sections 25-2-1128 and 25-2-1129 of the Land Development Code to achieve an increased allowable height in a moderate intensity zone of the Hill Country Roadway corridor (Applicant's Memo Stating Request and Justification – Attachment F). If the Zoning and Platting Commission and City Council approve these bonus requests, then the applicant will comply with the conditions they have provided as justification for these requests in the Attachment F.
10. In the PUD, the applicant will remove parking that is currently located within the 100-foot Hill Country Roadway buffer and will restore this area to its natural condition.
11. The proposed PUD will comply with the City of Austin's Compatibility Requirement Standards [LDC Sec. 25-2-1066] to provide adequate separation and buffering from the surrounding SF-2 and SF-2-CO zoned properties.
12. Parking requirements are temporarily adjusted to the extent necessary during demolition of the existing surface parking and construction of the parking garage to allow continued occupancy of the existing building.
13. Requirements for construction sequencing are temporarily adjusted to allow construction of the parking garage and utilities to utilize the existing pond and allow construction of the new pond to occur after the garage utilities are completed.

The Ordinance and public restrictive covenant reflect those conditions imposed by Council on 1st reading.

DEPARTMENT COMMENTS:

The property in question is located at the northwest corner of Capital of Texas Highway (Loop 360) and Bluffstone Drive and consists of three contiguous tracts of land known as the Prominent Pointe Tract, the Bluffstone Tract, and the Great Hills Phase "B" Tract. The Prominent Pointe

Tract consists of 10.24 acres known as Lot 2 of the Owen II Subdivision. This property currently has LO zoning with a footprint of GR zoning and is subject to conditions established by a zoning site plan (case C14r-86-193). The Bluffstone Tract consists of 3.76 acres known as Lots 1, 2, and 3 of the Great Hills Village II Subdivision. In 1986, a zoning site plan (case C14r-86-045) was approved for this property that included retail buildings, a restaurant, and a service station. The property was rezoned from GR and LR zoning to PUD zoning in 2001 through case C814-01-0096 (Bluffstone PUD). The current PUD zoning permits GO uses on the site to allow hospital services (limited), general office and medical office land uses, while maintaining the 50% impervious cover as approved on the zoning site plan. The Great Hills Phase "B" Tract consists of 7.5 acres of undeveloped land. This property is zoned SF-2-CO and is under review by the City of Austin for a two lot residential subdivision.

In this case, the applicant is requesting PUD zoning to provide a unified office development on the site that will utilize existing and proposed office buildings (PUD Request Letter – Attachment A). The applicant plans to develop a new office building paralleling the northwestern edge of the tract, along with a parking garage that will be constructed between the existing and new buildings. The proposed parking garage will provide parking for the overall development and will allow for a majority of the existing surface parking to be removed. The applicant proposes to place new improvements on the property in a way to minimize adverse impacts to the natural character of the property and to screen new structures from the Hill Country Roadway and from the existing neighborhood to the east (along Bluffstone Lane). The applicant is requesting some environmental modifications to the Land Development Code through this application that they have proposed to offset by providing an overall decrease in impervious cover for the site by approximately 0.6 acres, providing current water quality controls, dedicating a 7.5 acres conservation/preserve area to the City, removing much of the existing development in the CWQZ and WQTZ and Hill Country Roadway Corridor, restoring many previously disturbed areas with to a natural state with tree planting and revegetation, and by providing a 50-foot setback for the rimrock CEF which is currently unprotected. In addition, the applicant has asked for Hill Country Roadway Bonuses through this application to increase the allowable height in a moderate intensity zone of the Hill Country Roadway corridor to reduce overall impervious cover for the project. The applicant has stated the benefits of the proposed HCRO Development Bonuses in Attachment F.

The staff supports the proposed PUD because it will allow the applicant to create a superior development on a tract of land that has topographical constraints. The proposed PUD will reduce impervious cover amounts that were approved through the Prominent Point Tract and Bluffstone PUD developments by approximately 19% by removing surface parking area and constructing a parking garage on the site. The proposed development places the new building and parking garage along the western boundary of the property to allow a natural area to provide screening of structures on the site from Bluffstone Lane. In the new PUD, the applicant will provide water quality control meeting the current water quality requirements for water quality and detention. The Prominent Point II PUD development will remove parking that is currently located within the 100-foot Hill Country Roadway buffer and will restore this area to its natural condition. In addition, the developer will include the 40% buffer zone for the entire combined development and will dedicate the 7.5 acres Great Hill Phase "B" Tract as preserve/conservation area. The proposed PUD will also reduce the number of approved access points approved for the Prominent Point Tract and Bluffstone Tracts. Currently, there is one existing access driveway onto Loop 360 (Capital of Texas Highway) and one existing access driveway onto Bluffstone Lane. The approved Bluffstone PUD permitted two additional drives onto Bluffstone Lane. However, in this rezoning the applicant is requesting only one additional driveway access onto Bluffstone Lane. Finally, in the proposed PUD the applicant will provide trail access across the

north and south edges of the site to permit the surrounding neighborhoods to have access to the Bull Creek trailways through the project. The applicant proposes to improve the dead end area of Bluffstone Lane by providing curb and gutter, as well as large boulders or other obstructions to prevent unauthorized access and dumping that currently serves as a detraction for the neighborhood.

The applicant has met with the Great Hills Homeowners Association and the Bull Creek Foundation. The president of the Great Hills Homeowners Association, Matt Cronk, and the president of the Bull Creek Foundation, Skip Cameron, have provided letters of support for the proposed PUD (Attachment G).

The applicant agrees with the staff's recommendation for this case.

OWNER/APPLICANT: Prominent Northpoint, L.P. (Mark McAllister)

AGENT: Armbrust & Brown, L.L.P. (Amanda Morrow)

DATE OF FIRST READING/VOTE:

July 27, 2006/ Approved PUD zoning by consent, with the following conditions: 1) Parking requirements are temporarily adjusted to the extent necessary during demolition of the existing surface parking and construction of the parking garage to allow continued occupancy of the existing building; 2) Requirements for construction sequencing are temporarily adjusted to allow construction of the parking garage and utilities to utilize the existing pond and allow construction of the new pond to occur after the garage utilities are completed (7-0); 1st reading

CITY COUNCIL DATE: August 9, 2006

CITY COUNCIL ACTION:

ASSIGNED STAFF: Sherri Sirwaitis

PHONE: 974-3057
sherri.sirwaitis@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C814-06-0054

Z.A.P. DATE: June 20, 2006

ADDRESS OF PROPOSED CHANGE: 5401, 5405, 5505 Bluffstone Lane; 8310 N. Capital of Texas Highway; Bluffstone at Bluegrass Drive

APPLICANT/OWNER: Prominent Northpoint, L.P. (Mark McAllister)

AGENT: Armbrust & Brown, L.L.P. (Amanda Morrow)

ZONING FROM: I-RR, SF-2-CO, LO, GR, PUD **TO:** PUD **AREA:** 21.52 acres

SUMMARY STAFF RECOMMENDATION:

The staff recommendation is to approve the Prominent Pointe II Planned Unit Development (PUD) subject to the following conditions:

1. The conditions of the PUD shall be established in the proposed Land Use Plan - "Attachment B".
2. The PUD will comply with GR, Community Commercial District, permitted land uses. However, the staff believes that certain uses that are not suitable at this location adjacent to Bull Creek. Therefore, staff recommends the prohibiting the following uses in the PUD:

- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Service Station
- Commercial Off-Street Parking
- Drop-Off Recycling Collection Facility
- Exterminating Services
- Funeral Services
- Off-Site Accessory Parking
- Pawn Shop Services
- Plant Nursery

3. The development of the PUD shall be in accordance with regulations set forth in the Prominent Pointe II PUD Development Regulations and Development Regulations Notes located on the proposed PUD Land Use Plan and provided as "Attachment C" to the report.
4. The development of the PUD site will be subject to a vehicle trip limit of less than 2,000 vehicle trips per day above the existing development [LDC, 25-6-117].
5. The applicant will dedicate approximately 7.5 acres of undeveloped land, known as the Great Hills Phase "B" Tract, as a preservation/conservation area to the City of Austin.

6. The applicant will provide two trail easements across the north and south ends of the property to allow public and surrounding neighborhoods access through the property to connect with existing trail ways along Bull Creek.
7. The proposed PUD shall comply with Environmental staff recommendations stated in Attachment D and the Environmental Board conditions stated in Attachment E. These recommendations include the following:
 - a) The PUD shall utilize an integrated pest management plan (IPM), which will be implemented at the consolidated site plan stage of development.
 - b) The PUD will participate in the Green Building program with a minimum one star rating.
 - c) The applicant will provide a rainwater collection system for the PUD development.
 - d) The PUD will be subject to water quality that meets current standards for existing and proposed impervious cover.
 - e) The applicant will provide, at a minimum, low-intensity tree plantings throughout the site, including the Hill Country Roadway Corridor buffer.
 - f) The proposed development will employ the City of Austin's Grow Green plant list for landscaping attributes.
 - g) The applicant will provide a 50-foot setback for the rimrock CEF as shown on the proposed land use plan.
8. The applicant will provide water quality control meeting the current water quality requirements.
9. The applicant has requested development bonuses as outlined in Sections 25-2-1128 and 25-2-1129 of the Land Development Code to achieve an increased allowable height in a moderate intensity zone of the Hill Country Roadway corridor (Applicant's Memo Stating Request and Justification – Attachment F). If the Zoning and Platting Commission and City Council approve these bonus requests, then the applicant will comply with the conditions they have provided as justification for these requests in the Attachment F.
10. In the PUD, the applicant will remove parking that is currently located within the 100-foot Hill Country Roadway buffer and will restore this area to its natural condition.
11. The proposed PUD will comply with the City of Austin's Compatibility Requirement Standards [LDC Sec. 25-2-1066] to provide adequate separation and buffering from the surrounding SF-2 and SF-2-CO zoned properties.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

6/20/06: Approved staff recommendation of PUD zoning by consent (7-0, S. Hale, J. Gohil-absent); J. Martinez-1st, M. Hawthorne-2nd.

DEPARTMENT COMMENTS:

The property in question is located at the northwest corner of Capital of Texas Highway (Loop 360) and Bluffstone Drive and consists of three contiguous tracts of land known as the Prominent Pointe Tract, the Bluffstone Tract, and the Great Hills Phase "B" Tract. The Prominent Pointe Tract consists of 10.24 acres known as Lot 2 of the Owen II Subdivision. This property currently

has LO zoning with a footprint of GR zoning and is subject to conditions established by a zoning site plan (case C14r-86-193). The Bluffstone Tract consists of 3.76 acres known as Lots 1, 2, and 3 of the Great Hills Village II Subdivision. In 1986, a zoning site plan (case C14r-86-045) was approved for this property that included retail buildings, a restaurant, and a service station. The property was rezoned from GR and LR zoning to PUD zoning in 2001 through case C814-01-0096 (Bluffstone PUD). The current PUD zoning permits GO uses on the site to allow hospital services (limited), general office and medical office land uses, while maintaining the 50% impervious cover as approved on the zoning site plan. The Great Hills Phase "B" Tract consists of 7.5 acres of undeveloped land. This property is zoned SF-2-CO and is under review by the City of Austin for a two lot residential subdivision.

In this case, the applicant is requesting PUD zoning to provide a unified office development on the site that will utilize existing and proposed office buildings (PUD Request Letter – Attachment A). The applicant plans to develop a new office building paralleling the northwestern edge of the tract, along with a parking garage that will be constructed between the existing and new buildings. The proposed parking garage will provide parking for the overall development and will allow for a majority of the existing surface parking to be removed. The applicant proposes to place new improvements on the property in a way to minimize adverse impacts to the natural character of the property and to screen new structures from the Hill Country Roadway and from the existing neighborhood to the east (along Bluffstone Lane). The applicant is requesting some environmental modifications to the Land Development Code through this application that they have proposed to offset by providing an overall decrease in impervious cover for the site by approximately 0.6 acres, providing current water quality controls, dedicating a 7.5 acres conservation/preserve area to the City, removing much of the existing development in the CWQZ and WQTZ and Hill Country Roadway Corridor, restoring many previously disturbed areas with to a natural state with tree planting and revegetation, and by providing a 50-foot setback for the rimrock CEF which is currently unprotected. In addition, the applicant has asked for Hill Country Roadway Bonuses through this application to increase the allowable height in a moderate intensity zone of the Hill Country Roadway corridor to reduce overall impervious cover for the project. The applicant has stated the benefits of the proposed HCRO Development Bonuses in Attachment F.

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Bull Creek trailways through the project. The applicant proposes to improve the dead end area of Bluffstone Lane by providing curb and gutter, as well as large boulders or other obstructions to prevent unauthorized access and dumping that currently serves as a detraction for the neighborhood.

The applicant has met with the Great Hills Homeowners Association and the Bull Creek Foundation. The president of the Great Hills Homeowners Association, Matt Cronk, and the president of the Bull Creek Foundation, Skip Cameron, have provided letters of support for the proposed PUD (Attachment G).

The applicant agrees with the staff's recommendation for this case.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2-CO, PUD, LO, GR	Undeveloped Tract (Great Hills Phase "B" Tract), Undeveloped Tract (Bluffstone Tract), Office (Prominent Pointe Tract)
<i>North</i>	SF-2	Undeveloped (Stennis Tract Owned by the COA), Single-Family Residences
<i>South</i>	P	Undeveloped
<i>East</i>	SF-2, SF-2-CO, LR, LO, GR-CO, LO, RR, GR-CO	Single-Family Residences, Single-Family Residences, Undeveloped Tract, Professional/Medical Offices, Undeveloped Tracts
<i>West</i>	I-RR	Undeveloped - Bull Creek

AREA STUDY: N/A

TIA: Waived

WATERSHED: Bull Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

- 46 - North Oaks Neighborhood Association
- 53 - Northwest Austin Civic Association
- 157 - Courtyard Homeowner Association
- 184 - Bull Creek Homeowners Association
- 328 - Yaupon Bluffs Community Association
- 413 - Austin Great Hills Homeowners Association, Inc.
- 426 - River Place Residential Community Association, Inc.
- 439 - Concerned Citizens For P & B of FM 2222
- 475 - Bull Creek Foundation
- 511 - Austin Neighborhoods Council
- 742 - Austin Independent School District
- 747 - Great Hills Homeowner Association
- 965 - Old Spicewood Springs Road Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-01-0096	GR, LR to PUD	12/04/01: Approved staff's recommendation of PUD zoning by consent (8-0, M. Casias-absent)	1/17/02: Approved PUD on 3 readings (6-0, Wynn out of room)
C14-97-0100	SF-2 to GR	9/16/97: Approved GR-CO allowing only certain uses (7-0)	10/23/97: Approved GR-CO & RR for floodplain w/conditions (7-0), subject to 25% maximum impervious cover; 1 st reading 1/15/98: Approved GR-CO & RR w/ conditions (7-0); 2 nd /3 rd readings
C14-97-0098	SF-6 to SF-2	9/16/97: Approved staff rec. of SF-2 (7-0)	10/23/97: Approved SF-2-CO w/ conditions (7-0), subject to 25% maximum impervious cover; 1 st reading 1/15/98: Approved SF-2-CO w/conditions (7-0); 2 nd /3 rd readings
C14r-86-193	LO to GR	9/23/86: Approved GR zoning subject to conditions (8-0)	10/08/86: Approved GR subject to conditions (6-0); all 3 readings
C14r-86-045	TR1: SF-2, DR to LR TR2: SF-2, DR to GR	7/01/86: Approved LR (TR1) and GR (TR2), subject to conditions (9-0)	8/28/86: Approved LR, GR (6-0); 1 st reading 1/15/87: Approved LR and GR; 2 nd /3 rd readings
C14r-86-044	SF-2, DR to LO	7/01/86: Approved LO (7-2)	10/30/86: Approved LO

RELATED CASES: C814-01-0096 (Bluffstone PUD)
C14r-86-193
C14r-86-045

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057

sherri.sirwaitis@ci.austin.tx.us

CITY COUNCIL DATE: July 27, 2006

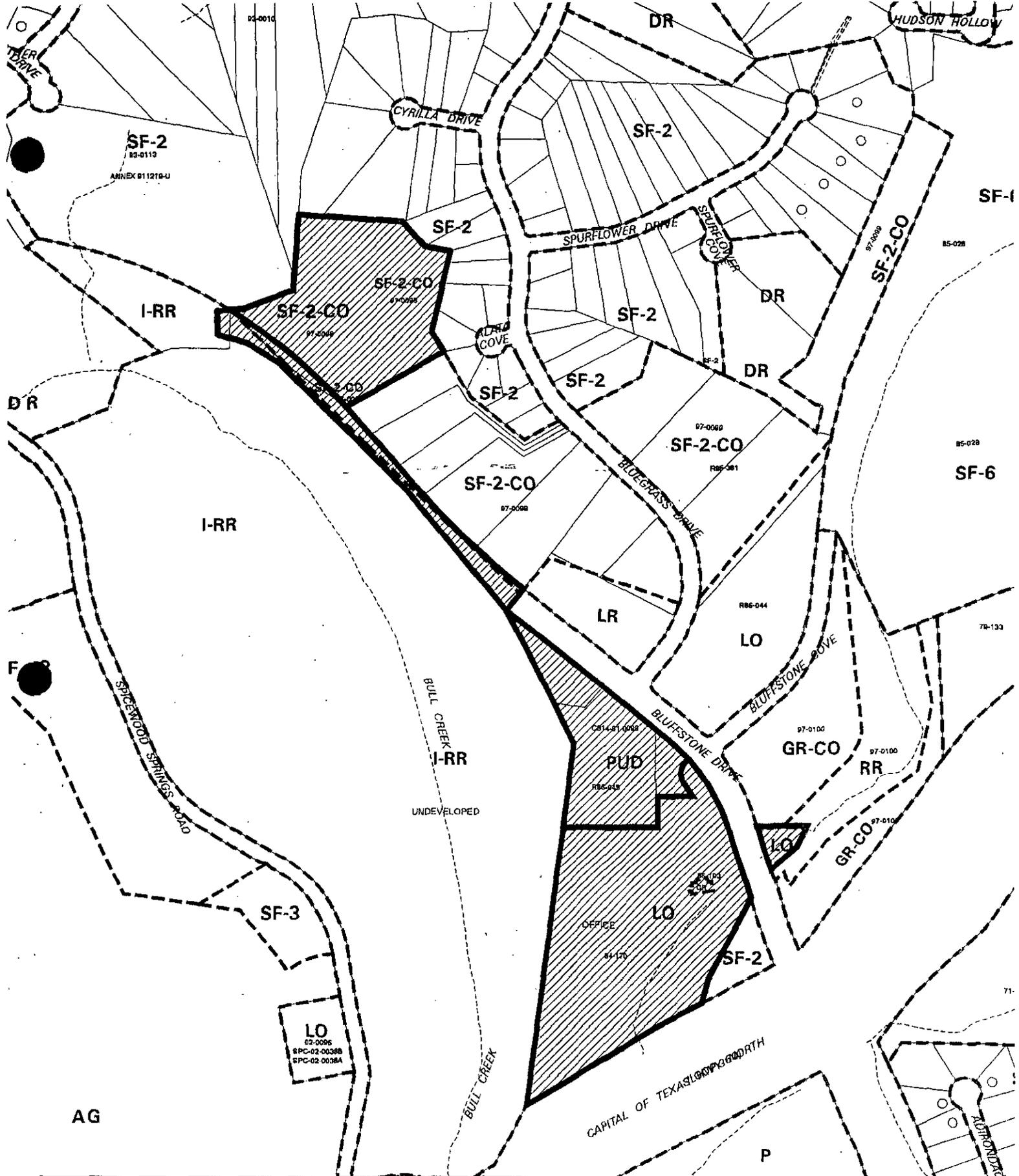
ACTION: Approved PUD zoning by consent, with the following conditions: 1) Parking requirements are temporarily adjusted to the extent necessary during demolition of the existing surface parking and construction of the parking garage to allow continued occupancy of the existing building; 2) Requirements for construction sequencing are temporarily adjusted to allow construction of the parking garage and utilities to utilize the existing pond and allow construction of the

new pond to occur after the garage utilities are completed (7-0); 1st reading

August 9, 2006 ACTION:

ORDINANCE READINGS: 1st 7/27/06 2nd 3rd

ORDINANCE NUMBER:



<p>1" = 400'</p>	<p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR: S. SIRWAITIS</p>	<p>PLANNED UNIT DEVELOPMENT</p>		<p>CITY GRID REFERENCE NUMBER</p> <p>H32</p>
		<p>CASE #: C814-06-0054</p>	<p>DATE: 06-03</p>	
		<p>ADDRESS: BLUFFSTONE LN BETWEEN N CAPITAL OF TEXAS HWY AND B</p>	<p>INTLS: SM</p>	
		<p>SUBJECT AREA (acres): 21.520</p>		

STAFF RECOMMENDATION

The staff recommendation is to approve the Prominent Pointe II Planned Unit Development (PUD) subject to the following conditions:

1. The conditions of the PUD shall be established in the proposed Land Use Plan - "Attachment B".
2. The PUD will comply with GR, Community Commercial District, permitted land uses. However, the staff believes that certain uses that are not suitable at this location adjacent to Bull Creek. Therefore, staff recommends the prohibiting the following uses in the PUD:

- Automotive Rentals
- Automotive Repair Services
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3. The development of the PUD shall be in accordance with regulations set forth in the Prominent Pointe II PUD Development Regulations and Development Regulations Notes located on the proposed PUD Land Use Plan and provided as "Attachment C" to the report.
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 10. In the PUD, the applicant will remove parking that is currently located within the 100-foot Hill Country Roadway buffer and will restore this area to its natural condition.
 11. The proposed PUD will comply with the City of Austin's Compatibility Requirement Standards [LDC Sec. 25-2-1066] to provide adequate separation and buffering from the surrounding SF-2 and SF-2-CO zoned properties.

BASIS FOR RECOMMENDATION

1. *The Planned Unit Development District (PUD) is intended for large or complex developments under unified control planned as a single contiguous project. The PUD is intended to allow single or multi-use projects within its boundaries and provide greater flexibility for development proposed within the PUD.*

The proposed PUD is planned as a single contiguous project that is under unified control. The PUD will be developed as a unified development to maximize that amount of natural area and protected trees that can be preserved on the site.

2. *Use of a PUD District should result in development superior to that which would occur using conventional zoning and subdivision regulations. PUD zoning is appropriate if the PUD enhances preservation of the natural environment; encourages high quality development and innovative design; and ensures adequate public facilities and services for development within the PUD.*

The Prominent Point II PUD preserves the natural environment and encourages high quality development by removing large amounts of surface parking area to reduce impervious cover amounts that were approved through the Prominent Point Tract and Bluffstone PUD developments by approximately 19%. The proposed development will place the new building and parking garage along the western boundary of the property to maintain a natural area that will provide screening of structures on the site from Bluffstone Lane. In this development, the applicant will provide water quality control meeting the current water quality requirements for water quality and detention. The Prominent Point II PUD will remove parking that is currently located within the 100-foot Hill Country Roadway buffer

and will restore this area to its natural condition. In addition, the developer will include the 40% buffer zone for the entire combined development and will dedicate the 7.5 acres Great Hill Phase "B" Tract as preserve/conservation area.

- 3. The minimum size generally considered appropriate for a PUD is ten acres. Absent unique or special topographic constraints or other exceptional circumstances affecting the property, creation of a PUD is not justified for development of tracts of less than ten acres since conventional zoning and subdivision regulations should be adequate for reasonable development.*

The proposed PUD consists of 21.52 acres of land. The site has special topographical constraints because the site contains 100-year floodplain, Critical Water Quality Zone (CWQZ), Water Quality Transition Zone (WQTZ), slopes, and an existing rimrock feature (CEF) along the northern bank of an unnamed tributary of Bull Creek.

- 4. The PUD land use plan establishes minimum and maximum development standards required by the PUD ordinance. These standards include residential density limitations; maximum floor-to-area ratios for non-residential development; maximum building height; lot size and width; and setbacks.*

The PUD land use plan does establish development standards that specify the proposed uses, floor to area ratios, height limits, lot size and width, setbacks, impervious cover, and buffers.

SUPPLEMENTAL DEVELOPMENT REGULATIONS

The applicant is proposing the following modifications to the Land Development Code (LDC):

- 1) To allow City of Austin review staff to administratively approve a waiver from Sections 25-8-341 and 25-8-342 of the Land Development Code for a maximum of 16 feet of cut and fill.
- 2) To allow City of Austin review staff to administratively approve a waiver from Section 25-8-301 of the Land Development Code for the construction of a roadway or driveway on slopes with a gradient of more than 15%.
- 3) A wavier from Section 25-8-423(C) of the Land Development Code to allow for the construction of a water quality pond within the Water Quality Transition Zone (WQTZ) of a Water Supply Suburban Watershed.
- 4) A variance from Section 25-8-423(B) to comply with the current watershed regulations to allow 3.7 acres or 35 % impervious cover within the Water Quality Transition Zone (WQTZ).
- 5) A variance from Section 25-8-262(B)(1) in order to cross a major waterway for the reconstruction of a driveway and for the enlargement of the detention pond.
- 6) A variance from Sections 25-2-1122(A)(2) and 25-2-1128(B)(1) in order to exceed the allowable floor-to-area ratio within a moderate intensity zone of a Hill Country Roadway Corridor from the allowed 0.25 to 1 to 0.3 to 1.

This PUD case was presented to the Environmental Board on May 17, 2006. The Environmental Board recommended conditional approval of the environmental variances requested through the Prominent Pointe II PUD. The Environmental Board Motion is included as "Attachment E".

In addition, the applicant is requesting development bonuses as outlined in Sections 25-2-1128 and 25-2-1129 of the Land Development Code to achieve an increased allowable height in a moderate intensity zone of the Hill Country Roadway corridor (Applicant's Memo Stating Request and Justification - Attachment F).

SUBSECTIONS

EXISTING CONDITIONS

Site Characteristics

The property in question consists of 21.52 acres of land located at the northwestern intersection of Capital of Texas Highway (Loop 360) and Bluffstone Drive. The site is located to the east of Bull Creek. The tracts of land to the north and east of this site are developed with limited residential and office uses.

Drainage Construction

Comments cleared.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The property is located within the Drinking Water Protection Zone.

According to flood plain maps, there is flood plain in, or within close proximity of, the project location.

The site is not located within the endangered species survey area.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site-specific information is available regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.

This application will require the following modifications from the Land Development Code:

1. To allow development within the critical water quality zone [LDC Sect.25-8-261(B)].
2. To exceed the 18% impervious cover limit in the water quality transition zone and to allow water quality control development in a water quality transition zone [LDC Sect. 25-8-423(B)(C)].
3. To allow for administrative approval for variances to LDC Sect. 25-8-301, Construction on Slopes exceeding 15%, and LDC Sect.25-8-341/342 to exceed cut and fill for depths up to 16 feet.

The staff recommends the proposed environmental modifications (Environmental Memorandum Concerning the Prominent Point II PUD Application – Attachment D).

This PUD case was presented to the Environmental Board on May 17, 2006. The Environmental Board recommended approval of the Prominent Pointe II PUD with staff conditions and additional Board conditions. The Environmental Board Motion is included as "Attachment E".

Impervious Cover

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Development within a Water Quality Transition Zone may not exceed 18% impervious cover.

Park and Recreation

PARD has met with Mark McAllister and William Conrad regarding the subject project. PARD approves the proposal with the understanding that land located east of the PUD (and as shown on site plan) be designated as water quality land to be maintained by Austin Water Utilities.

Site Plan

HILL COUNTRY ROADWAY

This site is located within the Hill Country Roadway Corridor and therefore requires Planning Commission/Zoning and Platting Commission review. Show on the site plan a line designating the Hill Country Roadway Corridor as the area within the City Limits and 1000 feet from the right-of-way of Capital of Texas Highway North (Loop 360). For Hill Country site development regulations, refer to Sections 25-2-1104 to 25-2-1105, 25-2-1021, also Environmental Criteria Manual 2.7.0.

No roadways or driveways shall be constructed on slopes in excess of fifteen (15%), except where necessary to provide access to areas of flatter slopes [Section 25-8-301 (A)].

No building shall exceed a height of twenty-eight feet (28') within two hundred feet (200') of the right-of-way of Capital of Texas Highway North (Loop 360) [Section 25-2-1124(A)].

This site is within a High Intensity, Moderate Intensity, or Low Intensity area of the Hill Country Roadway Corridor. [Section 25-2-1121]

Beyond two hundred feet (200') of the right-of-way of Capital of Texas Highway North (Loop 360), maximum height may increase but shall not exceed 28' in Low Intensity areas, 40' in Moderate Intensity areas, or 53' in High Intensity areas, except as provided in Section 25-2-1128, Performance Incentives. [25-2-1124].

For projects requesting performance incentives for scenic vista protection as per Section 25-2-1128 the site plan shall: a) illustrate the location and nature of any existing or potential scenic vista from or in close proximity to public roadways or recreation areas. b) Show how such vistas would be impacted by the proposed development.

The site lies within a MODERATE Intensity Zone. All non-residential development within this zone shall be subject to a maximum Floor-to-Area Ratio of 0.25 on 0-15% slopes, 0.10 on 15-25% slopes and 0.05 on 25-35% slopes, excluding parking structures and atriums. Hill Country Roadway Floor-to-Area Ratio Provisions shall not apply to Southwest Parkway [Section 25-2-1122(A)].

The applicant is providing additional site and environmental development improvements; water quality ponds for the entire site, reducing impervious cover, re-vegetation, 7.5 acres of land conservation / preservation area for the neighborhood, setbacks from the critical environmental feature as a composition to increase Floor- to Area Ratio minimizing surface parking increase landscaping and bringing the existing non compliant development further into compliance with Hill Country Roadway Corridor.

The maximum Floor-to-Area Ratio on 0-15% slopes shall not exceed 25 in a Low/.30 in a Moderate/.35 in a High Intensity Zone, with a bonus requested in writing and approved by the Planning Commission. Hill Country Roadway Floor-to-Area Ratio Provisions shall not apply to Southwest Parkway. [Section 25-2-1122(B)(2)].

No buildings or parking areas shall be constructed on slopes in excess of fifteen (15%), provided, however, that building and parking structures may be located on slopes of 15-25% when the four criteria under Section 25-2-1123 and 25-8-302, "Construction on Steep Slopes" are met.

Building(s) shall be designed to utilize, to the greatest extent feasible, building materials such as rock, stone, brick, and wood, which are compatible with the Hill Country environment. Mirrored glass with a reflectance greater than 20% is prohibited. [Section 25-2-1126].

Except for clearing necessary to provide utilities and access to the site, no clearing of vegetation shall be permitted within one hundred feet (100') of the dedicated right-of-way of >;however, in no case shall this vegetative buffer exceed twenty percent (20%) of the acreage of the applicant's property [Section 25-2-1023(b)].

At least forty percent (40%) of the site, excluding dedicated right-of-way, shall be left in a natural state. [Section 25-2-1025].

The applicant is requesting development bonuses, as stated in the City of Austin Land Development Code Sect. 25-2-1128 and 25-2-1129, with this application to increase the allowable height in a moderate intensity zone of the Hill Country Roadway corridor (please see Applicant's Memo Stating Request and Justification – Attachment F):

Waivers and variances dated May 8, 2006 by Armbrust & Brown, L.L.P., have been received and comment will be cleared once approval from ZAPCO is received.

COMPATIBILITY STANDARDS:

Show as a NOTE: Yards, fences, vegetative screening or berms shall be provided to screen adjacent SF-5 or more restrictive residential districts from views of off-street parking areas, mechanical equipment, storage areas, and for refuse collection (Section 25-2-1066).

All buildings, parking areas and driveways shall maintain a setback of 25 feet from the property line which is adjacent to an SF-5 or more restricted use or district (Section 25-2-1052(f)).

A variance from the requirements of the Compatibility Standards for development in a PUD may only be granted by the land use plan or by amendment of the land use plan [Sec. 25-2-412].

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Transportation

No additional right-of-way is required at this time.

The trip generation under the requested zoning is estimated to be 3,807 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day above existing development. [LDC, 25-6-117] The estimated trip generation for this site (existing + proposed) is estimated to be 3,807 trips per day.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	BICYCLE PLAN	SIDEWALKS
Capital Of Texas	390'	2@50'	Arterial	No	Yes	No
Bluffstone	100'	60'	Collector	No	Yes	No

The proposed additional driveway to Bluffstone is acceptable assuming that the sight distance and driveway criteria, including spacing, can be met.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, system upgrades, utility adjustments, and relocation. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in

accordance with the City of Austin design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay all associated and applicable City fees.

Water Quality

This site is located at Bluffstone Lane between North Capital of Texas Highway and Bluegrass Drive in the Bull Creek Watershed, which is classified as a Water Supply Suburban Watershed.

The applicant will provide water quality control meeting the current water quality requirements.

All water quality comments are cleared.

ARMBRUST & BROWN, L.L.P.

ATTORNEYS AND COUNSELORS

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(512) 435-2368
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May 8, 2006

Betty Baker
Chair, Zoning & Platting Commission
301 West 2nd Street
Austin, Texas 78701

Re: Prominent Pointe II - Alternative Site Development Regulation Request – C814-06-0054

Dear Ms. Baker:

This firm represents and I am writing this letter to you on behalf of the applicant in the above referenced zoning case. The following information is being provided to introduce the project and provide justification for alternative site development regulations.

INTRODUCTION

The site consists of three contiguous tracts totaling 21.5 acres at the intersection of Bluffstone Lane and Loop 360 (Capitol of Texas Highway) in Austin, Travis County, Texas. The three tracts are known as: the Prominent Pointe tract, the Bluffstone tract, and the Great Hills Phase "B" tract. Outlined below is a case history of the three tracts.

The Prominent Pointe Tract consists of Lot 2 of the Owen II Subdivision totaling 10.24 acres. A subdivision and a zoning site plan were approved by the City of Austin in 1984 for the construction of two office buildings and associated surface parking. The site was also approved and constructed under the old Lake Austin Watershed Ordinance 840301F, which allowed a total of 50% impervious cover and did not impose waterway setbacks. This site does not contain any uplands zone. As a result, the entire site was constructed within the critical water quality zone (CWQZ) and the water quality transition zone (WQTZ).

The Bluffstone Tract consists of Lots 1, 2, and 3 of the Great Hills Village III Subdivision totaling 3.76 acres. There is an existing approved PUD and land use plan associated with this site. This site was also approved under the old Lake Austin Watershed Ordinance 840301F.

The Great Hills Phase "B" Tract consists of 7.5 acres of undeveloped land. Currently, a two lot residential subdivision is being processed through the City of Austin for approval.

The Prominent Pointe II Planned Unit Development proposes to provide a unified office development with the existing and proposed office buildings. A new office building paralleling the northwestern edge of the tract is proposed with the development, along with a parking garage constructed between the two buildings. The parking garage is intended to provide parking for the site, thus allowing the majority of the existing surface parking to be removed. Due to the removal of the majority of the surface parking, the proposed PUD will reduce the impervious coverage of the approved Prominent Pointe and Bluffstone developments by approximately 19 percent. The location of impervious cover reduction will include the Hill Country Roadway setback, CWQZ, and WQTZ. In addition, the entire 7.5 acre Great Hills Phase "B" Tract will be set aside as a conservation/greenbelt area.

Site Development Regulations

Below is a list of the alternative site development regulations and variances being requested. Justification for each of the regulations follows.

Alternative Site Development Regulation #1 and #2 for Cut and Fill

Allow City of Austin staff to administratively approve a waiver from Sections 25-8-341 and 25-8-342 for a maximum of 16 feet of cut and fill. Justification for this waiver is described as follows:

1. By allowing staff to administratively approve the waiver, a blanket variance will not be granted for the entire 21.5 acres. Staff will have the discretion to limit the areas of cut and fill according to the site plan.
2. The majority of the cut area is located adjacent to the buildings. According to the Land Development Code (LDC), a variance is not needed for a structural cut. However, since the developer is proposing to cut into the hillside, the surrounding terrain will be excavated away from the buildings. This will create a terracing effect to allow natural light into the bottom floor. Therefore, a cut variance is required.
3. Due to the topography adjacent to the proposed parking garage and office building, fill in excess of four feet is required in order to terrace between the garage and the proposed office building.
4. Due to placement of the existing improvements, a cut and fill variance is required adjacent to the existing parking and drive areas to minimize the cross slope. By allowing this waiver, the site will become more accessible and driver friendly.

Alternative Site Development Regulation #3 for Construction on Slopes

Allow City of Austin staff to administratively approve a waiver from Section 25-8-301 for construction of a roadway or driveway on slopes with a gradient of more than 15 percent. Justification for this waiver is described as follows:

1. According to Section 25-8-301(1), a driveway can be construed on a slope with a gradient of 15 percent if at least two contiguous acres with a gradient of 15 percent or less is being accessed. While the proposed site layout appears to meet this criteria, allowing Staff to administratively approve this waiver will alleviate any misinterpretations of the Code in the future.
2. The current driveway accessing the Prominent Pointe site crosses slopes in excess of 15 percent. Since the proposed layout shows this driveway to remain, a waiver is being requested to maintain this current driveway.
3. Another area of possible concern is the driveway connecting the Prominent Pointe tract with the Bluffstone tract, as shown on the Prominent Pointe II PUD. In order to preserve a large cluster of trees, it is necessary to have the driveway meander around the trees, which means that it would be located on a gradient of more than 15 percent.

Alternative Site Development Regulation #4 for Water Quality Ponds Within the WQTZ in a Water Supply Suburban Watershed

A waiver from Section 25-8-423(C) of the LDC is being requested to allow the construction of a water quality pond within the water quality transition zone of a Water Supply Suburban Watershed. The basis for the waiver is described as follows:

1. The WQTZ's are located at the lowest points on the property. It is better practice to locate the water quality pond at this location to allow the natural flow of rainwater runoff to drain into the pond.
2. It is logical to locate the water quality pond next to the detention pond. By placing the water quality pond next to the existing detention pond, it would alleviate the need for a booster pump between the two ponds.
3. There is not adequate space outside of the water quality transition zone to place the water quality pond on this site. Furthermore, the only area outside of the water quality transition zone is at the high end of the site.

Variance #1 for Increased Impervious Cover within the Water Quality Transition Zone

Variance from Section 25-8-423(B) is being requested in order to comply with the current watershed regulations. The variance will allow 3.7 acres or 34 percent impervious cover within the Water Quality Transition Zone. Justification for the variance is described as follows:

1. As stated previously, the Prominent Pointe tract and the Bluffstone tract were both approved under the old Lake Austin Watershed Ordinance. This ordinance did not impose waterway setback regulations. Since Bull Creek is situated to the west of the site and a tributary of Bull Creek runs along the front (south side) of the site, 4.2 acres or 60 percent of the site is situated within the water quality transition zone. Therefore, the existing Prominent Pointe and approved Bluffstone development has already exceeded the allowable impervious cover within the WQTZ.

2. With the new Prominent Pointe II PUD, 0.5 acres or 26 percent of impervious cover will be reduced in the WQTZ.

Variance #2 for Construction within a Critical Water Quality Zone

Variance from Section 25-8-262(B)(1) is being requested in order to cross a major waterway for the reconstruction of a driveway and enlargement of the detention pond. Justification for the variance is described as follows:

1. As stated previously, the Prominent Pointe tract was approved under the old Lake Austin Watershed Ordinance, which did not impose the waterway setback regulations. Therefore, the existing development is located entirely within the CWQZ.
2. Since Bull Creek is situated to the west of the site and a tributary of Bull Creek runs along the front (south side) of the site, 1.3 acres or 24 percent of the 10.64 acre site is situated within the CWQZ. Therefore, the existing Prominent Pointe development has already exceeded the allowable impervious cover within the CWQZ.
3. The Prominent Pointe PUD is proposing to remove 0.2 acres or 4 percent of impervious cover within the CWQZ by removing existing surface parking. However, a portion of the existing driveway within the CWQZ will be resurfaced to allow better access to the site.
4. The Prominent Pointe PUD also proposes to provide detention per current regulations. However, the existing detention pond located within the critical zone will be increased slightly.

Variance #3 to Exceed the Allowable Floor to Area Ratio within a Moderate Intensity Zone of the Hill Country Roadway Corridor

Variance from Sections 25-2-1122(A)(2) and 25-2-1128(B)(1) are being requested in order to exceed the allowable floor-to-area ratio within a moderate intensity zone of a Hill Country Roadway Corridor from the allowed 0.25 to 1 or 0.3 to 1. With development bonuses, we request an FAR of 0.45 to 1 within the 0% to 15% slope category.

1. Due to the nature of the site, only two-thirds (67 percent) of the 21.53 acres contains slopes less than 15 percent. In order to stay below the maximum height allowed in the Hill Country Roadway ordinance, a larger floor-to-area ratio is needed.

I respectfully request your review of the material provided and recommended approval of the proposed development regulations and variances. The proposed development regulations, variances and waivers included in this project, plus the attached list of additional environmental benefits will create a development that is superior to current conditions.

Should you have any questions or comments, please do not hesitate to contact me.

Very truly yours,

Amanda L. Morrow
Land Development Consultant

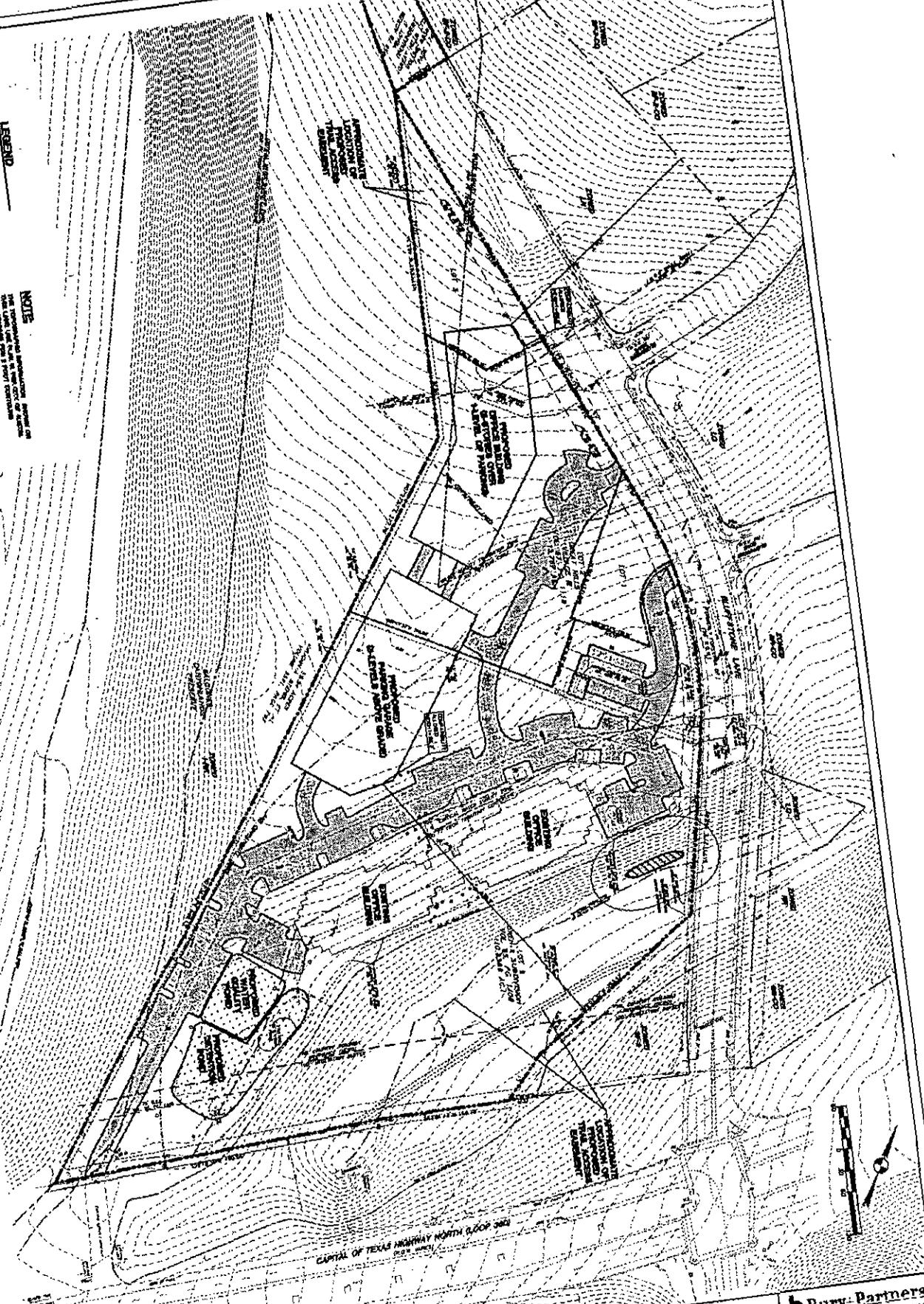
	EXISTING PROMINENT POINTE AND APPROVED BLUFFSTONE PUD	PROPOSED PUD
IMPERVIOUS COVER	24% CWQZ, 60% WQTZ, 67% UPLANDS	21% CWQZ, 35% WQTZ, 35% UPLANDS
CWQZ AND WQTZ SETBACKS	NOT REQUIRED TO COMPLY	REDUCES IMPERVIOUS COVER WITHIN THE CWQZ AND WQTZ SETBACK AREAS
WATER QUALITY	SEDIMENTATION ONLY FOR PROMINENT POINTE AND CURRENT WATER QUALITY STANDARDS FOR THE BLUFFSTONE PUD	CURRENT WATER QUALITY STANDARDS FOR THE ENTIRE COMBINED DEVELOPMENT
DETENTION	CURRENT DETENTION REQUIREMENTS ON BLUFFSTONE PUD ONLY	CURRENT DETENTION REQUIREMENTS FOR THE NEW DEVELOPMENT
PRESERVE / CONSERVATION AREA	NONE	PROVIDES A 7.5-ACRE PRESERVE / CONSERVATION AREA TO BE LEFT UNDEVELOPED BELOW THE EXISTING NEIGHBORHOOD
AMENITIES	NONE	PROVIDE TRAIL EASEMENTS ACROSS THE NORTH AND SOUTH ENDS OF THE SITE FOR NEIGHBORHOOD TO ACCESS THE BULL CREEK TRAILS THROUGH THE PROJECT
BULL CREEK IMPROVEMENT	NONE	IMPROVES BULL CREEK BY REDUCING IMPERVIOUS COVER AND SURFACE PARKING AND PROVIDING CURRENT WATER QUALITY TREATMENT FOR ALL IMPERVIOUS COVER
ROADWAY IMPROVEMENTS	NONE	IMPROVES BLUFFSTONE LANE BY CLOSING OFF THE DEAD END TO PREVENT UNAUTHORIZED ACCESS AND DUMPING
DRIVEWAY ACCESS	ONE ACCESS DRIVE ONTO LOOP 360 AND THREE ACCESS DRIVES ONTO BLUFFSTONE LANE	ONE ACCESS DRIVE ONTO LOOP 360 AND TWO ACCESS DRIVES ONTO BLUFFSTONE LANE
HILL COUNTRY 100-FOOT BUFFER	PROMINENT POINT NOT REQUIRED TO COMPLY WITH HCRO	REMOVES EXISTING IMPERVIOUS COVER AND RESTORES AREA WITHIN THE 100-FOOT BUFFER
HILL COUNTRY NATURAL AREA	PROMINENT POINT NOT REQUIRED TO COMPLY WITH HCRO	40% NATURAL AREA PROVIDED FOR THE ENTIRE COMBINED DEVELOPMENT
LANDSCAPING	SMALL LANDSCAPE ISLANDS AND NATURAL AREAS	LARGE OPEN NATURAL AND LANDSCAPED AREAS AND REDUCED IMPERVIOUS AREAS

	EXISTING PROMINENT POINTE AND APPROVED BLUFFSTONE PUD	PROPOSED PUD
PARKING AREAS	LARGE AREAS OF SURFACE PARKING	MINIMIZES SURFACE PARKING BY PROVIDING A PARKING STRUCTURE THUS REDUCING POLLUTANTS DISCHARGED FROM PARKING AREAS
BUILDING PLACEMENT	BUILDINGS PLACED IN CENTER OF PROPERTY AND AT THE HIGHEST POINT OF THE PROPERTY	PROPOSED BUILDINGS PLACED ALONG THE BACK PROPERTY LINE AS FAR FROM BLUFFSTONE AS POSSIBLE AND AS FAR DOWN THE HILL AS POSSIBLE
SCREENING FROM BLUFFSTONE LANE	BLUFFSTONE PUD PROPOSED MULTIPLE SMALL NATURAL AREAS TO SCREEN THE BUILDINGS FROM BLUFFSTONE LANE	ONE LARGE NATURAL AREA TO SCREEN THE PROPOSED BUILDING AND PARKING STRUCTURE FROM BLUFFSTONE LANE
DEF SETBACK	NO SETBACK PROVIDED	50-FOOT SETBACK PROVIDED
LAND USE	OFFICE	OFFICE
ZONING	LO WITH GR SPOT ZONING ON PROMINENT POINTE AND PUD WITH GO BASE DISTRICT ON BLUFFSTONE PUD	PUD FOR COMBINED DEVELOPMENT
HEIGHT	EXISTING 5-STORY PROMINENT POINT BUILDING AND PROPOSED 1 AND 2-STORY BUILDINGS ON THE BLUFFSTONE PUD SITE	EXISTING 5-STORY OFFICE BUILDING, PROPOSED 4-STORY OFFICE BUILDING OVER 1-STORY UNDERGROUND PARKING AND PROPOSED 5-LEVEL PARKING GARAGE ABOVE 2 LEVELS BELOW GRADE

LEGEND

- Proposed Land Use
- Existing Land Use
- Existing Buildings
- Property Lines
- Easements
- Right-of-Way
- Utility Lines

NOTE
 THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE. THE CLIENT ACCEPTS ALL RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE RESULTS OF THE DESIGN.



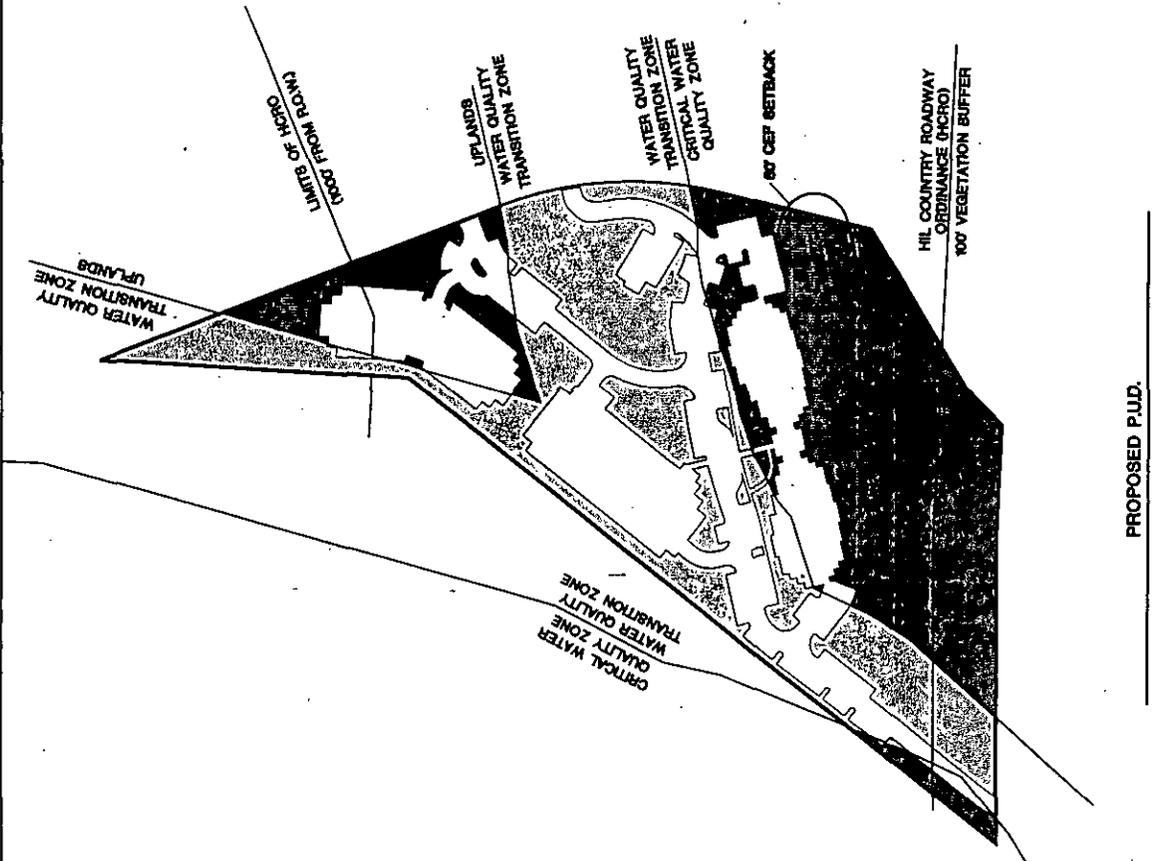
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 OF 2
 SHEET

**PROMINENT POINTE
 8350 N. CAPITAL OF TEXAS HWY.**

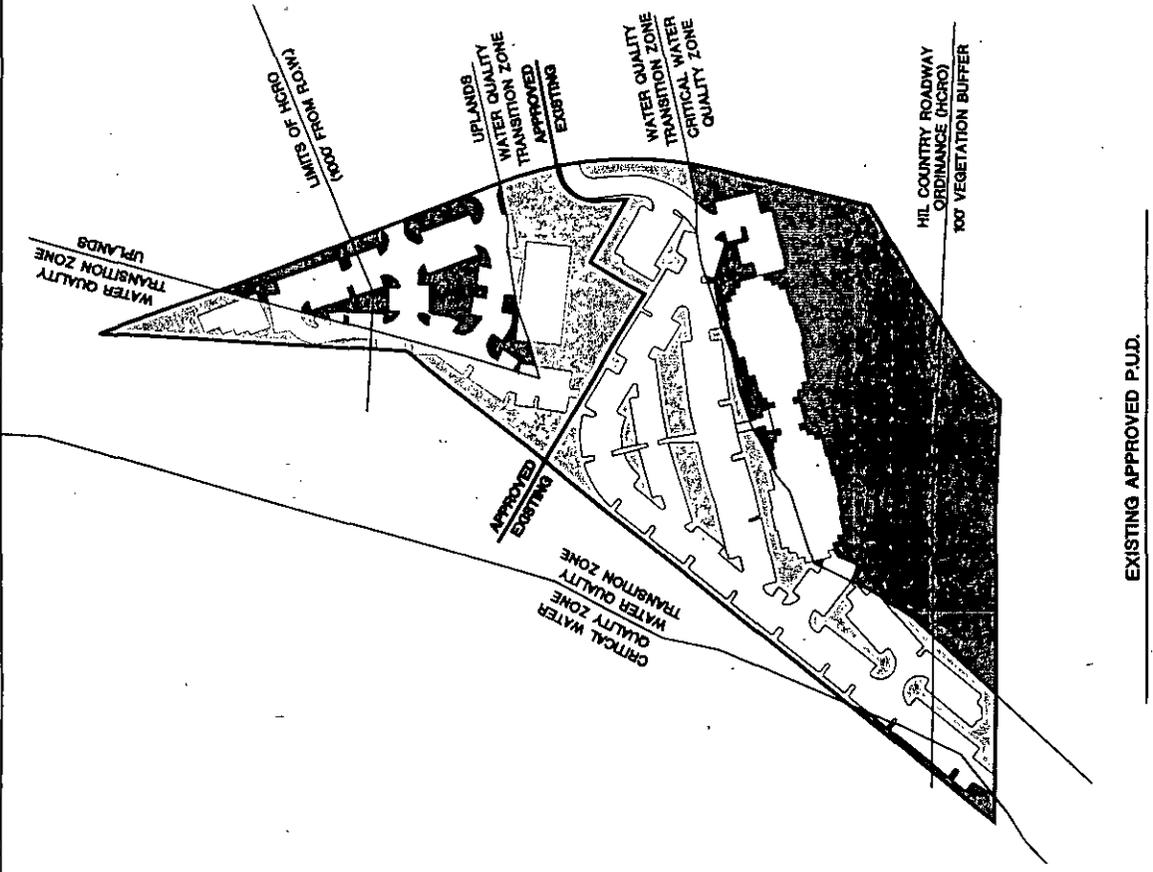
ASPEN PROPERTIES

LAND USE PLAN

Bury Partners
 ENGINEERING SOLUTIONS
 3504 New Center Blvd, Suite 200
 Dallas, Texas 75244
 Tel: (972) 242-0011 Fax: (972) 242-0000
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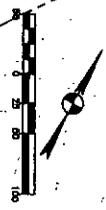
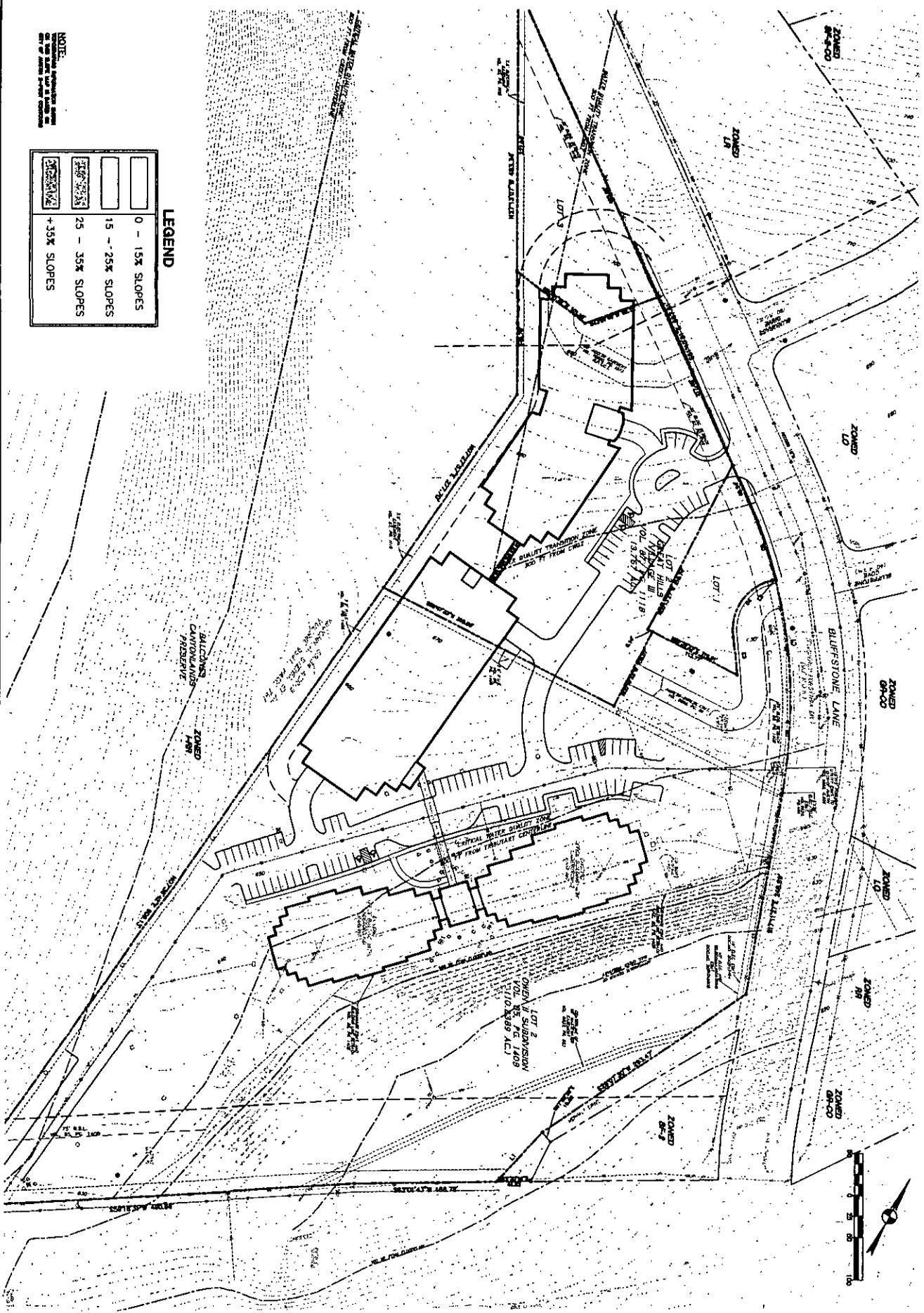
PROPOSED P.U.D.



EXISTING APPROVED P.U.D.

NOTE:
 THIS MAP IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION OR AS A BASIS FOR ANY OTHER DESIGN OR CONTRACT WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER.

LEGEND	
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	15 - 25% SLOPES
	25 - 35% SLOPES
	+ 35% SLOPES



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DESIGNED BY: ZP
REVIEWED BY: ZP
PROJECT NO: 1487-06.00

PROMINENT POINTE
8310 N. CAPITAL OF TEXAS HWY.

ASPEN PROPERTIES

SLOPE DENSITY MAP

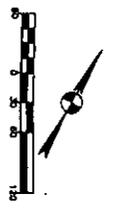
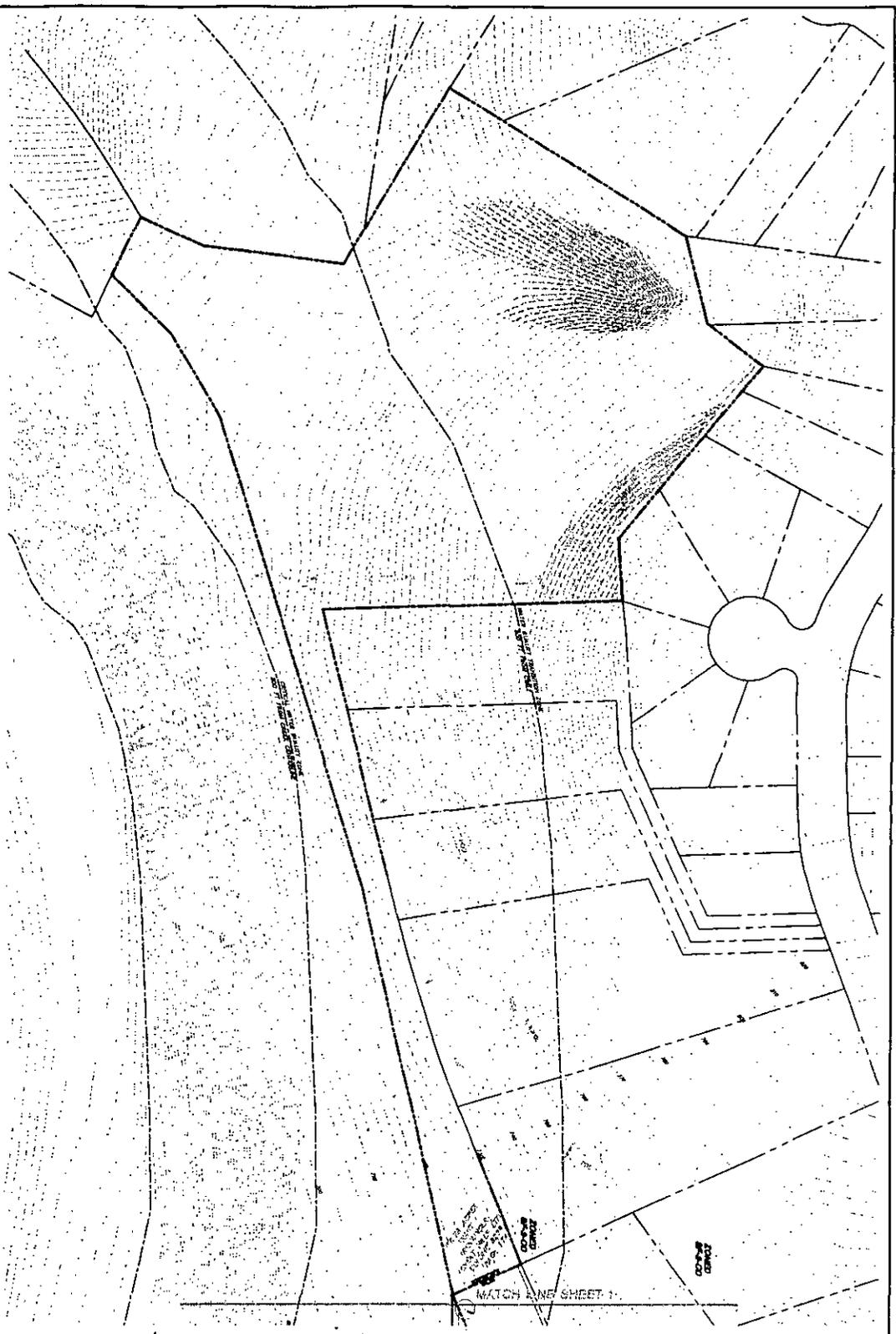
BuryPartners
 ENGINEERING SOLUTIONS
 2545 Red Creek Road, Suite 200
 Austin, Texas 78748
 Tel: (512) 220-8811 Fax: (512) 220-4325
 BuryPartners, Inc. ©Copyright 2005

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NOTE:
 THIS MAP WAS PREPARED BY THE
 CITY OF ASPEN UNDER CONTRACT

	0 - 15% SLOPES
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	25 - 35% SLOPES
	+35% SLOPES

LEGEND



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PROMINENT POINTE
8310 N. CAPITAL OF TEXAS HWY.

ASPEN PROPERTIES

SLOPE DENSITY MAP

Bury+Partners
 ENGINEERING SOLUTIONS
 5546 Bee Creek Road, Suite 200
 Austin, Texas 78746
 Tel. (512) 229-4811 Fax (512) 229-4222
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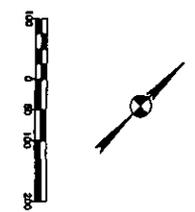
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 DESIGNED BY: PFD
 REVIEWED BY: JP
 PROJECT NO.: 1487-08.00

PROMINENT POINTE
8310 N. CAPITAL OF TEXAS HWY.
ASPEN PROPERTIES

EXISTING AERIAL EXHIBIT

Bury+Partners
 ENGINEERING SOLUTIONS
 3346 Bee Grove Road, Suite 200
 Austin, Texas 78748
 Tel: (512) 259-9811 Fax: (512) 259-4225
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 CHECKED BY: JPD
 REVIEWED BY: J
 PROJECT NO.: 1487-04.00

PROMINENT POINTE
8310 N. CAPITAL OF TEXAS HWY.

ASPEN PROPERTIES

PROPOSED AERIAL EXHIBIT

Bury+Partners
 ENGINEERING SOLUTIONS
 2546 Bay Drive Road, Suite 300
 Austin, Texas 78748
 Tel: (512) 259-9611 Fax: (512) 259-4225
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**PROMINENT POINTE II P.U.D.
DEVELOPEMENT REGULATIONS**

MAXIMUM HEIGHT = 53'

MIN. LOT SIZE: 5,750 S.F.

MIN. LOT WIDTH: 50 FT.

MINIMUM SETBACKS:

FRONT YARD (BLUFESTONE) = 25'

STREET SIDE YARD (CAPITAL OF TEXAS HIGHWAY) = 100'

INTERIOR SIDE YARD = 0

REAR YARD (BULL CREEK) = 10'

MAXIMUM BUILDING COVERAGE = 15%

MAXIMUM IMPERVIOUS COVER = 35% NSA, 35% WQTZ, 21% CWQZ

MAXIMUM FLOOR AREA RATIO 0.45:1

PROMINENT POINTE II P.U.D.
DEVELOPMENT REGULATION NOTES:

1. THE ALLOWABLE IMPERVIOUS COVER FOR THIS DEVELOPMENT IS 21% (1.13-ACRES) WITHIN THE CRITICAL WATER QUALITY ZONE, 35% (3.7-ACRES) IN THE WATER QUALITY TRANSITION ZONE, AND 35% (1.17-ACRES) IN THE UPLANDS ZONE.
2. THE ALLOWABLE FLOOR-TO-AREA RATIO FOR THIS DEVELOPMENT IS 0.45 TO 1 ON SLOPES OF 15% OR LESS (285,000 SQUARE FEET OF OFFICE SPACE).
3. THE ALLOWABLE USES FOR THIS DEVELOPMENT SHALL COMPLY WITH THOSE ALLOWED UNDER THE COMMUNITY COMMERCIAL (GR) ZONING DISTRICT REGULATIONS EXCEPT FOR THE FOLLOWING USES THAT ARE PROHIBITED: AUTOMOTIVE RENTALS, AUTOMOTIVE REPAIR SERVICES, AUTOMOTIVE SALES, AUTOMOTIVE WASHING (OF ANY TYPE), SERVICE STATION, COMMERCIAL OFF-STREET PARKING, DROP-OFF RECYCLING COLLECTION FACILITY, EXTERMINATING SERVICES, FUNERAL SERVICES, OFF-SITE ACCESSORY PARKING, PAWN SHOP SERVICES, PLANT NURSERY
4. THIS SITE IS COMPOSED OF SIX LOTS. IT HAS BEEN APPROVED AS ONE COHESIVE DEVELOPMENT. IF PORTIONS OF THE LOTS ARE SOLD, APPLICATION FOR SUBDIVISION AND SITE PLAN APPROVAL MAY BE REQUIRED.
5. THIS DEVELOPMENT IS LIMITED TO 2,000 VEHICLE TRIPS PER DAY ABOVE THE EXISTING 152,000 S.F. OFFICE DEVELOPMENT.
6. A VARIANCE FOR CUT AND FILL UP TO 16-FEET MAY BE APPROVED ADMINISTRATIVELY BY THE CITY OF AUSTIN STAFF.
7. A VARIANCE FOR CONSTRUCTION OF A DRIVEWAY ON SLOPES IN EXCESS OF 15% MAY BE APPROVED ADMINISTRATIVELY BY THE CITY OF AUSTIN STAFF.
8. AN APPROVED INTEGRATED PEST MANAGEMENT (IPM) PLAN WILL BE PROVIDED FOR THIS PROJECT AT THE CONSOLIDATED SITE PLAN STAGE.
9. THE PROJECT WILL PARTICIPATE IN THE GREEN BUILDING PROGRAM WITH A BASIC ONE STAR RATING.
10. A RAINWATER COLLECTION SYSTEM WILL BE PROVIDED.

11. THE LEVEL OF WATER QUALITY FOR THE DEVELOPMENT WILL MEET CURRENT CODE REQUIREMENTS FOR ALL EXISTING AND PROPOSED IMPERVIOUS COVER.
12. THE DETENTION POND WILL BE ALLOWED IN THE CRITICAL WATER QUALITY ZONE AND THE WATER QUALITY POND WILL BE ALLOWED IN THE WATER QUALITY TRANSITION ZONE.
13. THE DEVELOPMENT WILL BE ALLOWED TWO CURB CUTS / ACCESS POINTS ONTO BLUFFSTONE LANE AND ONE DRIVEWAY ACCESS POINT ONTO CAPITAL OF TEXAS HIGHWAY.
14. YARDS, FENCES, VEGETATIVE SCREENING OR BERMS SHALL BE PROVIDED TO SCREEN ADJACENT SF-5 OR MORE RESTRICTIVE RESIDENTIAL ZONING DISTRICTS FROM VIEWS OF OFF-STREET PARKING AREAS, MECHANICAL EQUIPMENT, STORAGE AREAS, AND REFUSE COLLECTION FACILITIES IN ACCORDANCE WITH SECTION 25-2-1066 OF THE LAND DEVELOPMENT CODE.



MEMORANDUM

TO: Betty Baker, Chairperson
Members of the Zoning and Platting Commission

FROM: Teresa Alvelo, Environmental Reviewer
Watershed Protection and Development Review Department

DATE: May 17, 2006

SUBJECT: Prominent Pointe II PUD / CD-05-0008
Bluffstone Lane between N. Capital of Texas Hwy. and Bluegrass Drive

This PUD application is comprised of three contiguous tracts totaling 21.5-acres currently known as the Prominent Pointe tract (10.24 acres), the Bluffstone tract (3.76 acres), and the Great Hills Phase B tract (7.50 acres). The Bluffstone and Great Hills tracts are currently undeveloped. The applicant is proposing to combine the three tracts into a single PUD covering the entire 21.5-acre site.

Description of Project Area

The subject area is located approximately eight miles northwest of Austin in the full-purpose jurisdiction, on the northwest corner of the intersection of Loop 360 (Capital of Texas Highway) and Bluffstone Drive. The existing Prominent Pointe II development, and the approved (but not developed) Bluffstone tract plans are not CWO compliant. The Prominent Pointe tract is currently subject to Lake Austin Watershed Ordinance No. 840301F and is zoned Limited Office (LO) with a spot zoning of Community Commercial (GR). The Bluffstone tract is currently subject to Lake Austin Watershed Ordinance Nos. 840301G, 841213L, and 840301F, and is zoned Planned Unit Development with a GO base district. The Great Hills Phase "B" tract is currently zoned SF-2-CO and is subject to Ordinance No. 800103-P. Plat notes allow up to 20% total site area (65,479'sf) impervious cover for this tract, but is also currently undeveloped.

The tract lies within the Drinking Water Protection Zone, but is not located over the Edwards Aquifer Recharge Zone. There is floodplain, Critical Water Quality Zone (CWQZ), and Water Quality Transition Zone (WQTZ) associated with this site. A portion of this site falls within the Hill Country Roadway Corridor.

The PUD proposes to provide a combined office development with the existing office building. A new office building paralleling the northwestern edge of the tract is proposed with the development, along with a parking garage to be provided between the two buildings. The parking garage will allow removal of much of the existing surface parking, some of which is currently located within the transition zone and the Hill Country Roadway buffer. The proposed development will be located as far from Bluffstone Lane as possible to allow for the natural area between the proposed building and parking garage to provide screening from Bluffstone Lane. The proposed building location and design is intended to minimize building elevation as much as possible. The proposed PUD will decrease overall impervious cover by about .8 acres (34,848 sf) for the Prominent Pointe II and Bluffstone tracts. When taking the Great Hills Phase "B" tract into account, total impervious cover will be about 28% gross site area. Parking areas currently found in the Hill Country Roadway Buffer will be removed and that area will be restored to a natural state. The undeveloped 7.5-acre Great Hills Phase B tract will remain undeveloped as a preserve/conservation area, and will be designated as a restricted access area.

The existing detention pond will be slightly increased in size, and a water quality pond is proposed to be located within the water quality transition zone. Water quality is not presently required for existing/approved development.

Other proposed amenities include two trails accessing across the north and south ends of the Prominent and Bluffstone tracts in order to allow the surrounding neighborhoods access to the Bull Creek trails. The dead-end located on Bluffstone will see curb and gutter development as well as large boulders or other obstructions to prevent unauthorized vehicle access and illegal dumping. This area will be revegetated and landscaped to improve the overall appearance.

Critical Environmental Features

A rimrock feature is located on the northern bank of an unnamed tributary of Bull Creek (next to the Bluffstone Lane bridge). This rimrock averages 8 feet in height, and runs about 50 feet in length. Currently, no setback exists for this CEF. The proposed PUD would provide a 50-foot setback for this CEF.

Water/Wastewater Report

Water and wastewater services will be provided by the City of Austin.

Proposed Exceptions to Current Water Quality Code

1. To allow development within the critical water quality zone LDC 25-8-261 (B). Much of the existing parking area within the CWQZ will be removed, with the exception of the drive coming off of Loop 360. Applicant proposes to maintain the drive through the critical zone in order to provide general vehicle access, and also to satisfy fire access requirements.

2. To exceed the 18% impervious cover limit in the water quality transition zone, *and* to allow water quality control development in a water quality transition zone [LDC Section 25-8-423 (B) and (C)].

The existing/approved allowable maximum impervious cover in the transition zone is 60%. The applicant is proposing a maximum of 34%. This number takes into account the newly-added Great Hills Phase B tract). In order to provide for improved water quality, applicant requests that a slightly larger detention pond, and development of a water quality pond be allowed within the transition zone.

3. To allow for administrative approval for variances to LDC 25-8-301, *Construction on Slopes* exceeding 15%, and LDC 25-8-341/342 cut/fill exceedances for depths up to 16 feet.

Applicant has determined that a small portion of the 15% slope category will require drive development in order to provide adequate access between structures within the proposed development. Also, cut/fill for depths up to 16 feet will be required for building construction.

Recommendations:

Staff recommends the proposed PUD the following reasons:

- 1) Overall impervious cover will be decreased by approximately .6 acres (26,136 sf).
- 2) Applicant will provide water quality for existing development, in addition to proposed development.
- 3) The proposed development is similar to existing development in the area.
- 4) The applicant proposes to purchase and restrict access through the proposed conservation/preserve area. This will remove two single-family lots from possible future development. Also, many significant trees will be enveloped and protected within the preserve area.
- 5) With the exception of hike and bike trails in limited areas, natural areas will remain undeveloped, scenic, and natural.
- 6) Much of the existing development in the CWQZ, WQTZ, and Hill Country Roadway Corridor will be removed and restored to a natural state with tree plantings and revegetation.
- 7) The applicant has been conscientious in designing and placing improvements in order to minimize adverse impacts on the natural and traditional character of the land.
- 8) Provide a 50-foot setback for the rimrock CEF, which is currently unprotected.

Conditions:

Applicant agrees to:

- 1) Implement an IPM plan.
- 2) Institute green building standards meeting at least a one star rating.
- 3) Provide a rainwater collection system.

- 4) Provide water quality that meets current standards for existing and proposed impervious cover.
- 5) Provide, at a minimum, low-intensity tree plantings throughout the site, including the Hill Country Roadway Corridor buffer.
- 6) Employ the COA's *Grow Green* plant list for landscaping attributes.

If you have any questions or need additional information, please contact Teresa Alvelo at 974-7105.

Teresa Alvelo, Environmental Reviewer
Watershed Protection and Development Review Department

Environmental Officer: _____
Patrick Murphy



ENVIRONMENTAL BOARD MOTION 051706-B4

Date: May 17, 2006

Subject: Prominent Pointe II PUD (CD-05-0008)

Motioned By: Dr. Mary Gay Maxwell

Seconded By: Julie Jenkins

Recommendation

The Environmental Board recommends **approval with conditions** of variances to LDC Section: 25-8-261 (B) To allow development within a critical water quality zone. LDC Section 25-8-423 (B) (C) To exceed the 18% impervious cover limit within the water quality transition zone, and allow water quality control development in a water quality transition zone.

Staff Conditions:

1. Implement an IPM plan.
2. Institute green building standards meeting at least a one star rating.
3. Provide a rainwater collection system.
4. Provide water quality that meets current standards for existing and proposed impervious cover.
5. Provide, at a minimum, low-intensity tree plantings throughout the site, including the Hill Country Roadway Corridor buffer.
6. Employ the City of Austin's Grow Green plant list for landscaping attributes.

Rationale

1. Overall impervious cover will be decreased by approximately .6 acres (26,135 sf.).
2. Applicant will provide water quality for existing development, in addition to proposed development.
3. The proposed development is similar to existing development in the area.
4. The applicant proposes to purchase and restrict access through the proposed conservation/preserve area. This will remove two single-family lots from possible future development. Also, many significant trees will be enveloped and protected within the preserve area.
5. With the exception of hike and bike trails in limited areas, natural areas will remain undeveloped, scenic, and natural.
6. Much of the existing development in the Critical Water Quality Zone, Water Quality Transition Zone, and Hill Country Roadway Corridor will be removed and restored to a natural state with tree plantings and revegetation.

7. The applicant has been conscientious in designing and placing improvements in order to minimize adverse impacts on the natural and traditional character of the land.
8. Provide a 50-foot setback for the rimrock CEF, which is currently unprotected.

Board Conditions:

1. The project provides greater environmental protection and increases preservation of traditional and natural characteristics of the land than is provided with existing and approved plans
2. The Bull Creek Foundation has officially declared its support of the project.

Vote 5 0 0 4

For: Anderson, Ascot, Maxwell, Jenkins and Gilani

Against: None

Abstain: None

Absent: Moncada, Curra, Ahart and Dupnik

Approved By:

Dave Anderson P.E., CFM, Chair

PROMINENT POINTE P.U.D.

HCRO Development Bonuses

We are requesting development bonuses as outlined in LDC 25-2-1128 and 25-2-1129 to achieve an increased allowable height in a moderate intensity zone of the Hill Country Roadway corridor. The bonus provisions from LDC 25-2-1129 for which we are applying are listed below along with our justification for how we meet each bonus provision.

- 1. Preserves a scenic vista and provides a place where the public can view the scenic vista.***

Justification: We are proposing to provide trail access easements across the front and back of the site to allow the public to access the existing trails to the south along Bull Creek. We are also dedicating the 7.5-acre preserve to the City of Austin for potential park / preserve area to be accessed by the public.

- 2. Reduces by at least 15 percent the amount of impervious cover otherwise required for the development.***

Justification: With the addition of the 7.5-acre preserve to the overall proposed development, the overall impervious cover reduction from the existing / approved development to the proposed development is 20% based on gross site acreage.

- 3. Increases landscaping or a setback by more than 50 percent above the amount required for the development or increases a natural area.***

Justification: One large natural area is being left in the center of the site as opposed to the small landscape islands and natural areas that were proposed with the approved PUD. The proposed development also includes the removal of impervious cover from and restoration of the Hill Country 100-foot buffer.

- 4. Uses pervious pavers although the development is not entitled to receive an impervious cover credit.***

Justification: This development proposes to use pervious pavers, Ecocreto, or other City of Austin approved pervious pavements for sidewalks and pedestrian areas where feasible.

- 5. Includes the construction or dedication of a public facility that is not required by a City ordinance, including a park, roadway and right-of-way, Police Department site, Fire Department site, emergency medical services facility site, or a regional drainage facility.***

Justification: The development proposes the dedication of the 7.5-acre preserve / conservation area to the City of Austin as well as the dedication of two trail easements across

the top and bottom of the property to allow public access through the property to the trails along Bull Creek.

6. ***Limits the construction of a building or parking area to an area with a slope that has a gradient of not more than 15 percent.***

Justification: The proposed building is located entirely on slopes less than 15%. The parking structure is located mostly on slopes less than 15% except approximately 900 square feet of area located on slopes between 15% and 25%. The surface parking areas are located almost entirely on slopes less than 15% with the exception of a small 3,900 square foot area. These areas of slopes between 15% and 25% account for only 1.5% of the total proposed impervious cover.

7. ***Uses an energy-conserving or a water-conserving device that reduces energy or water consumption below City requirements.***

Justification: We are proposing to reduce the energy and water consumption of the building by 15% from the City requirement as outlined in the Green Building Standards.

April 13, 2006

Sherri Sirwaitis
Case Manager
Neighborhood Planning and Zoning Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78701

RE: Prominent Pointe Phase II

Dear Sherri:

As a homeowner in the neighborhood adjacent to the existing development located at 5401, 5405, 5505 Bluffstone Lane, 8310 North Capital of Texas Highway and Bluffstone at Bluegrass Drive, I am writing this letter to express my strong support of the proposed zoning change and associated variances for the Prominent Pointe Phase II development. As a condition of support, Aspen Growth Properties, Inc. has agreed to the following:

Dedicate approximately 7.5159 acres of land located at Bluffstone Lane and Bluegrass Drive for green space through a deed restriction that runs with the land into perpetuity

Should you have any questions, please feel free to contact me.

Thank you,



Matt Cronk
President of Austin Great Hills Homeowners Association

Sirwaitis, Sherri

From: Rusthoven, Jerry
Sent: Wednesday, March 29, 2006 2:19 PM
To: Sirwaitis, Sherri
Subject: FW: Good things can happen! Here's how you can help

Jerry Rusthoven, AICP
Manager
Zoning, Historic Preservation and Annexation Divisions Neighborhood Planning and Zoning
Dept, OTC 5th Floor City of Austin P.O. Box 1088 Austin, TX 78767
974-3207
974-6054 fax

-----Original Message-----

From: Skip Cameron [mailto:scameron@austin.rr.com]
Sent: Thursday, March 23, 2006 8:34 PM
To: Rusthoven, Jerry; Murphy, Pat
Cc: Huffman, Laura; Guernsey, Greg; Futrell, Toby
Subject: Good things can happen! Here's how you can help

Folks:

Remember that recent and contentious subdivision case C8-81-022.010 and .010.1a connected to a really strange Boundary Line Agreement the City did with Robert Kleeman? That was just not the right thing to do for the adjacent two neighborhoods and for the adjacent 60 acre Water Quality Protection Land (WQPL) our group has adopted. ZAP passed the subdivision with only one minor request we had made, a barrier to prevent dumping past end of Bluffstone Drive. Even that didn't meet the real need. The rest of our proposals went begging.

Our belief that the best use for this 10 acres was to be left undeveloped remained a dream.

Meanwhile, we and the NA's had been talking with an adjacent landowner to the south, Mark McAllister, CEO of Aspen Properties, and Richard Suttle who represents them. The impact of the subdivision case on their property and their neighbors and WQPL got them thinking how they could help.

And they have!

They now have an option on this newly subdivided tract.

And they would keep it undeveloped as a conservation tract as part of their plans to expand their Prominent Pointe office facility in Phase II.

This expansion would add office capacity, while reducing existing impervious cover of existing surface parking, compacting it into a parking facility serving the existing and new office structures.

This will be a big win win for all parties concerned.

We have come a long, long way from the old Arterial 8 based zoning and plans for gas station, convenience store, strip retail and restaurant on this expansion tract.

Mark and Richard have reviewed their plans with Bull Creek Foundation, and the adjacent Bluegrass Cove NA and the Austin Great Hills HOA leaders.

Everyone enthusiastically supports their plans as a win for all.

As I see it, there are two needs moving forward.

1. Aspen will need your help to fast track their plans, so they will be able to exercise their option on the planned conservation tract before it expires.

2. They will need a height variance on the new structure, but it fits well within the profile of the surrounding office developments, and is OK with the nearby homeowners.

You know I do not make developer supporting remarks unless they are sufficiently justified.

This is one of those times.

I trust you will help Aspen Group get through the process quickly so this golden opportunity comes to pass.

Skip Cameron, President
Bull Creek Foundation